

Service Date: May 31, 2001

DEPARTMENT OF PUBLIC SERVICE REGULATION  
BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MONTANA

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IN THE MATTER of the Application of the	)	UTILITY DIVISION
Montana Power Company, in its Role as	)	
Default Supplier, Requesting Approval of a	)	DOCKET NO. D2001.5.58
Power Purchase Agreement with PPL Montana to	)	ORDER NO. 6344
Serve Default Supply Customers	)	

PROTECTIVE ORDER

On May 21, 2001, Montana Power Company (MPC) filed a Motion for Protective Order with the Montana Public Service Commission (Commission) to govern certain information expected to be filed in the above-entitled proceeding. MPC requests protection of information relating to the supply bid information resulting from MPC's Request for Proposals and certain provisions of the Power Purchase Agreement. MPC claims that the identified information is proprietary and confidential in nature. MPC also requests that the protection be broad enough to encompass all proprietary information to be provided during the course of this Docket, to prevent the necessity for further requests for protection.

The Commission determines that the identified information could be confidential and subject to protection from public disclosure pursuant to § 69-3-105, MCA , and Art. II, § 10, Mont. Const. It is reasonable to extend the protection to other information that may be proprietary, subject to any later challenges to the confidentiality of the information. Therefore, the Commission grants MPC's request and hereby orders that information submitted in accordance with this Order be treated as "confidential information" under the terms of this Order and PSC protective order rules, ARM 38.2.5001 through 38.2.5030.

The Commission staff issued a 90-day Protection of Confidential Information in Docket No. N2001.3.35 on March 27, 2001. This Protective Order continues the protection of bid information as well as protects other confidential information that may be filed with or made available during the course of this docket.

Done and dated this 30th day of May, 2001, by a vote of 5-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

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GARY FELAND, Chairman

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JAY STOVALL, Vice Chairman

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BOB ANDERSON, Commissioner

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MATT BRAINARD, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons  
Commission Secretary

(SEAL)

NOTE:        There is no reconsideration of the granting of a protective order. There is a procedure to challenge the provider's claim of confidentiality. See ARM 38.2.5008. Reconsideration of a denial of a protective order is available in accordance with ARM 38.2.4806.